Issues certain instructions regarding the application of "Next Below" Rule in the regulation of promotions and secondings of Government Servants in the State.

OFFICIAL MEMORANDUM.

No. Fl. (B) 10045-134—C.R. 1-52-20, dated Bangalore, the 28th November 1952.

The practice at present in vogue in respect of promotions and secondings of Government servants in the State is that all the Government servants serving outside the ordinary line are promoted and seconded consequent on the appointment of a junior Government servant to a higher officiating post in the regular line. The Accountant-General, Mysore, has pointed out that the grant of higher officiating pay for no change of duties to all such Government servants outside the ordinary line would not be in order and has suggested that the principles of the "Next Below" Rule as applied by the Government of India to their officers might be adopted by Government in the matter of promotions and secondings of Government servants in the State. The Government accept the suggestion and direct that the principles of the "Next Below" Rule—enunciated below—should be followed in the matter of promotions and secondings of Government servants in the State.

2. When a person in a post (whether within the cadre of his service or not) is for any reason prevented from officiating in his turn in a post on a higher scale or grade borne on the cadre of the service to which he belongs, he may be authorised by special order of the appropriate authority *pro forma* officiating promotion into such scale or grade and thereupon be granted the pay of that scale or grade, if that be more advantageous to him, on each occasion on which the person immediately junior to him in the cadre of his service (or if that person has been passed over by reasons of inefficiency or unsuitability or because he is on leave or serving outside the ordinary line or foregoes officiating promotion of his own volition to that scale or grade, then the person next junior to him not so passed over) draws officiating salary in that scale or grade.

3. Provided that all persons senior to the person to whom the benefit under the substantive part of this rule is to be allowed are also drawing, unless they have been passed over for one or other of the reasons aforesaid, officiating salary in the said or some higher scale or grade within the cadre.

4. Provided further that *not more than one person* (either the seniormost fit person in a series of adjacent persons outside the ordinary line, or if such a person either foregoes the benefit of his own volition or does not require the benefit in virtue of his holding a post outside the ordinary line which secures him at least equivalent benefits in respect of salary and pension then the next below in the series) may be authorised to draw the salary of the higher scale or grade in respect of any one officiating vacancy within the cadre filled by his junior under this rule.

5. A purely fortuitous officiating promotion given to a person who is junior to one outside the regular line does not in itself give rise to a claim under the "Next Below" Rule.

6. Promotions already made by Government in contravention of the new rule will be regularised gradually to the extent possible and all future promotions should be strictly with reference to the "Next Below" Rule.

7. The necessary amendments to Mysore Service Regulations are being issued separately.

M. SHAMANNA,
Secretary to Government,
Finance Department.